REMARKS

1. Introduction

In the Office Action mailed November 15, 2007, the Examiner rejected claims 1-4, 10, 13, 14, 16-18, and 23 under 35 U.S.C. § 103(a) as being unpatentable over Sakamoto, U.S. Patent No. 5,989,121 ("Sakamoto") in view of Pease, U.S. Patent No. 5,326,104 ("Pease").

The Examiner rejected claims 5-9, 11, 12, and 15 under 35 U.S.C. § 103(a) as being unpatentable over Sakamoto in view of Crumby, U.S. Patent No. 6,533,664 ("Crumby").

The Examiner rejected claims 19-22, 24, and 25 under 35 U.S.C. § 103(a) as being unpatentable over Sakamoto in view of Crumby and Pease.

In response, Applicants have canceled claims 1-25 and added new claims 26-40.

For the reasons set forth below, Applicant requests reconsideration and allowance of the application, as amended herein.

2. Response to the claim rejections

The Examiner has rejected claims 1-25 under § 103(a) as being unpatentable over Sakamoto in combination with Pease and/or Crumby. In response, Applicant has canceled claims 1-25 and added new claims 26-40, of which claims 26 and 34 are independent. Applicant submits that new claims 26-40 are clearly allowable over Sakamoto, Pease, and Crumby, whether viewed individually or in combination, as set forth below.

a. Claims 26-33

Claim 26 recites, *inter alia*, "a watchdog facility configured (i) to transmit a data packet to the primary gaming server at regular intervals and (ii) whenever an expected response is not received from the primary gaming server within a predetermined time interval, to change a status

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001

of the primary gaming server from active to failed." In rejecting claims 8 and 21 (now canceled), the Examiner alleged that Crumby (at col. 6, line 64 – col. 7, line 16) discloses a watchdog facility that detects failure of the primary gaming server by transmitting a data packet to the primary gaming server at regular intervals and monitoring each request data packet for a corresponding response from the primary gaming server within a predetermined time interval. *See* Office Action, p. 4 (claim 8) and pp. 6-7 (claim 21). In fact, what Crumby discloses is that "[t]he gaming terminal microprocessor ... determines ... whether the communication link with the central computer appears to be currently active, e.g., whether any communications with the central computer has occurred within the last 1000 milliseconds." *See* col. 7, lines 1-6. Thus, Crumby discloses a determination of inactivity (e.g., after 1000 milliseconds), but Crumby does not disclose that the determination is made by transmitting a data packet at regular intervals.

Therefore, Applicant submits that Crumby does not disclose "a watchdog facility configured ... to transmit a data packet to the primary gaming server at regular intervals," as recited in claim 26. Applicant further submits that Sakamoto and Pease do not make up for this deficiency in Crumby.

Claim 26 also recites "a controller in the at least one player station for routing a request to provide an outcome of a turn of the game of chance, wherein the controller routes the request to the primary gaming server when the status of the primary gaming server is active and routes the request to the secondary gaming server when the status of the primary gaming server is failed." Applicant submits that Sakamoto, Pease, and Crumby all fail to disclose a controller in the player station that performs this routing function. In this regard, Applicant recognizes that the Examiner previously rejected claim 10 (now canceled), which recited "the at least one player station directs any request for generation of the one or more random events to the secondary

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001

random event generator when the status of the primary random event generator is a failed status." However, the Examiner's rationale for rejecting claim 10 did not show how this function is supposedly disclosed in the cited art.

The Examiner cited to Sakamoto (col. 6, lines 18-26) as disclosing "the usage of a backup random number sampling operation." *See* Office Action, p. 2. However, Sakamoto does not disclose that a controller in a player station determines whether to route a request to a primary gaming server or to a secondary gaming server. In fact, Sakamoto does not disclose any gaming servers separate from a player station because Sakamoto describes the operations within a single gaming machine (slot machine 1).

The Examiner cited to Pease (col. 18, lines 43-49) as disclosing "monitoring features to detect the failure of the primary server and initiate the secondary server when the primary server fails." *See* Office Action, p. 3. However, Pease does not disclose that a controller in a player station determines whether to route a request to a primary gaming server or to a secondary gaming server. To the contrary, Pease discloses that "[g]ame management is accomplished primarily through workstations 16 connected to the game controller 10 through secure token ring 17." *See* col. 18, lines 50-52. Thus, in Pease, workstations 16, not player stations (AWSs 8), would determine whether requests should be routed to main fileserver 13 or to backup fileserver 15 in game controller 10.

Therefore, Applicant submits that neither Sakamoto nor Pease discloses "a controller in the at least one player station for routing a request to provide an outcome of a turn of the game of chance, wherein the controller routes the request to the primary gaming server when the status of the primary gaming server is active and routes the request to the secondary gaming server when

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001

the status of the primary gaming server is failed," as recited in claim 26. Applicant further submits that Crumby fails to make up for the deficiencies in Sakamoto and Pease.

Accordingly, Applicant submits that claim 26 is allowable over Sakamoto, Pease, and Crumby for at least the foregoing reasons. Applicant further submits that claims 27-33 are allowable for at least the reason that they depend from an allowable claim.

b. Claims 34-40

Claim 34 recites, *inter alia*, "a watchdog facility transmitting a data packet to the primary gaming server at regular intervals." As discussed above for claim 26, the Examiner has cited Crumby as allegedly disclosing a watchdog facility (i.e., a gaming terminal microprocessor that determines whether the communication link with the central computer has been lost). However, Crumby does not disclose that the gaming terminal microprocessor transmits a data packet at regular intervals for the "lost link" determination. Further, Sakamoto and Pease do not make up for this deficiency in Crumby.

Claim 34 also recites "a controller in the player station routing a request to provide an outcome of a turn of the game of chance, wherein the controller routes request to the primary gaming server when the status of the primary gaming server is active and routes the request to the secondary gaming server when the status of the primary gaming server is failed." As discussed above for claim 26, neither Sakamoto nor Pease discloses a controller in a player station that makes this routing determination. Further, Crumby does not make up for the deficiencies in Sakamoto and Pease.

Accordingly, Applicant submits that claim 34 is allowable over Sakamoto, Pease, and Crumby for at least the foregoing reasons. Applicant further submits that claims 35-40 are allowable for at least the reason that they depend from an allowable claim.

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001

3. Conclusion

Applicant submits that the present application is in condition for allowance, and notice to that effect is hereby requested. Should the Examiner feel that further dialog would advance the subject application to issuance, the Examiner is invited to telephone the undersigned at any time at (312) 913-0001.

Respectfully submitted,

Date: February 8, 2008

By: Richard A. Machonkin

Richard A. Machonkin
Registration No. 41,962

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001